

TATSHENSHINI - ELSEK RIVER MANAGERS AND OPERATORS

INTERIM SCHEDULING AGREEMENT

December 12, 1996

Preamble

The following document details the consensus interim scheduling agreement reached by the Tatshenshini and Alsek River managers (Kevin Apgar and Jim Capra, Glacier Bay National Park and Preserve; Hugh Markides and Doug Crow, B.C. Parks; Tom Elliot, Kluane National Park; Sarah Gaunt and Ron Chambers, Champagne and Aishihik First Nations (CAFN hereafter); and Jim McIntyre, YTG Parks) and river operators (Dave Loeks, Arctic Edge Ltd.; Hector MacKenzie, Yukon Mountain and River Expeditions Ltd.; Perry Robertson, Mountain Travel and Sobek; Darsie Beck, Colorado River and Trail Exp.; Brian McCutcheon, River and Oceans Unlimited Expeditions Inc.; Johnny Mikkes, Canadian River Expeditions; Bart Henderson, Chilkat Guides, Ltd.; Gary Gray, Gary Gray; Joe Tonsmeire, Wilderness River Outfitters; Bob Daffe, Tatshenshini Expediting Ltd.; Daryl Bespfulg, Kootenay River Runners; Neil Hartling, Nahanni River Adventures; Ken Leghorn, Alaska Discovery; James Katz, James Henry River Journeys; Jill Pangman/Joyce Majiski, Ecosummer Yukon Expeditions) during a joint meeting held in Whitehorse, Yukon November 7 - 8, 1996.

Agreement Principals

The Canadian and United States Tatshenshini - Alsek operators hereby agree to the following set of scheduling recommendations. These recommendations are based upon current commercial permit allotment and existing Dry Bay takeouts.

We (the outfitters) agree to adhere to a seven year schedule beginning in 1998. This schedule would last through the year 2004 and be revisited in the fall of 2003. The outfitters also agree not to ask for or lobby for an increase in commercial starts that would result in more than one takeout a Dry Bay per day beyond the four double take-outs (days with two arrivals on the same day) at Dry Bay as agreed upon in this document either under the existing river plan or in the development of a new plan. It is also stipulated that there will be no additional lobbying among the outfitters to the governmental agencies for additional dates in this or future management plans unless the governmental agencies decide in the future to allocate additional commercial launch dates. At this juncture, all of the existing commercial operators reserve the right to apply for any additional departures dates the government agencies may decide to allocate. The operators also reserve the right to ask for changes in group size limits at any time both as individual companies or collectively.

It is understood that the existing four double arrivals at Dry Bay and the rotation schedule associated with these, has been allowed in order to resolve existing scheduling problems encountered by both U.S. and Canadian operators. The exceptions to the 1989 Glacier Bay Alsek River Visitor Use Management Plan provided in this document are a temporary solution and can be readdressed (revisited) by the major governing management agencies as required in order to ensure ecological integrity and/or natural/cultural resource and visitor experience protection, and/or as a result of the anticipated International Tatshenshini - Alsek River Management Plan etc. This consensus agreement is subject to the economic provisions contained in the Tatshenshini-Alsek Park Management Agreement (O.I.C. 0555) between CAFN and the Province of British Columbia, and the pending CAFN Transboundary Land Claim Agreement in British Columbia.

Agreement Details

The seven year schedule will work as follows:

1. The outfitters have agreed to adopt the attached schedule of arrivals at Dry Bay. Two Canadian trips (Kootenay River Runners) were added after the previous schedule was developed in October 1994. In order to allow some parity for the U.S. operators, the managing agencies agreed to give the U.S. outfitters an additional two trips. The arrival dates for these trips will be added to the outside of the existing June 10 - September 17 control season along with two additional private trip arrival dates. Doing this allocates 50% of the commercial usage to U.S. operators, and 50% to Canadian operators. The resulting control season is therefor June 8 to September 19.
2. The following arrival dates at Dry Bay were identified by the respective operators, and agreed to by the river managers, as scheduling problems:

September 6	Gary Gray
September 13	Canadian River Expeditions
September 16	Kootenay River Runners

In order to resolve these scheduling problems, both the Canadian and U.S. outfitters will be allowed to double up two of their arrivals at Dry Bay. This will be a temporary inconsistency with the 1989 Glacier Bay Alsek River Visitor Use Management Plan. These temporary inconsistencies will be eliminated by:

- i) transfer of the Kootenay River Runners or Canadian River Expeditions permits. The transferee must agree to accept an arrival date (September 13 or September 16, respectively) and will no longer enjoy the privilege of doubling up that date with another trip. The Kootenay River Runners arrival on July 17 (or an approved alternative prime season arrival date) will be an exception to this, and will be transferable. One U.S. double up date will automatically be eliminated at such time that each Canadian double up date is eliminated with the Gary Gray double up arrival date being the last date eliminated;
 - ii) competitive allocation (i.e. issuance of a business prospectus or tender offer) to a single company of the date on which there are two arrivals; and/or
 - iii) mutual agreement of the Tatshenshini - Alsek River managers and the affected commercial operators.
3. On the U.S. allocation side: Gary Gray will be able to double up his September 6th arrival date in conjunction with an U.S. operators Alsek River through trip (i.e. through Kluane) as long as this seven year schedule remains valid. However, if Gary Gray were to sell his company, his dates on the attached schedule would be the dates that he would be selling i.e. August 21 and September 6.
 4. One of the two dates being given to the U.S. operators to allow parity with Canadian operators will be allowed to double up. This second U.S. double up date will be rotated among the U.S. permit holders

over a seven-year period. Gary Gray's September 6 date¹ will be given to the U.S. operators as their second parity date, and will also be rotated among the U.S. operators over a seven-year period.

5. Canadian double up arrivals will be distributed to Canadian River Expeditions and Kootenay River Runners. Kootenay River Runners will have the right to one permanent double arrival as long as this agreement exists. Canadian River Expeditions will alternate use of the second Canadian double up arrival date with Kootenay River Runners.
6. Stipulations that apply to both the Canadian and U.S. double up trip dates and schedules are:
 - i) the four double up dates will fall within separate take out blocks² to avoid crowding³;
 - ii) all the double up arrivals will be scheduled so that one company will be operating on the Tatshenshini and the other company is running a concurrent trip as an Alsek trip which arrives in Dry Bay; and
 - iii) double up trips will not be allowed to camp at Walker Glacier or the prime camping areas on Alsek spit. Glacier Bay National Park will identify the prime camping areas at a later date.

The following signees agree to this interim scheduling agreement.

Company Name	Signature of Authorized Representative	Date

¹which was left open when he doubled up under item 3 above

²take out block periods are specified on the attached schedule

³it was decided that blocks 3 and 5 would contain the U.S. double up dates; Canadian double up blocks have yet to be confirmed (blocks 4 and 6 were suggested but problems were encountered with these i.e. no dates that could be doubled up).

Assigned Dry Bay Arrival Dates

Base Year¹

Aisek River Trips

MASTER

ATTN: PERRY
ROBERTSON - SOBOK

	June	July	August	September
1	P	Ecosummer 6/21 Block 2 Ends	JHRJ 7/22	Ecosummer 8/22
2	C	Private Block 3 Starts	Private	Private
3	P	CRE 6/23	Private	Arctic Edge 8/26
4	C	Private	Private	Sobek HJ 8/25
5	P	Private	Sobek HJ 7/26	CAFN 8/27
6	C	Private	Rivers & Ocean 7/27 Block 5 Ends	Gary Gray 8/27
7	P	Nahanni 6/28	Alaska D HJ 7/27 Block 6 Starts	Private
8	Start Season US Commercial	Alaska D 6/29	CAFN 7/30	Private
9	Private	Private	Wild Riv Out 7/30	Private
10	Private	Sobek HJ 6/30	Private	Private
11	Private	Tat Exp 7/2	Sobek HJ 8/1	Private Block 8 Ends
12	Private Block 1 Starts	Chilkat HJ 7/1	Private	Chilkat 9/4 Block 9 Starts
13	Private	Private Block 3 Ends	Private	CRE 9/2
14	Chilkat HJ 6/3	Private Block 4 Starts	CRE 8/4	Private
15	Private	Private	Private	Private Block 9 Ends
16	Private	Private	Private	Kootenay 9/6
17	Suskwa 6/7	CRE 7/7 Kootenay 7/7	Private	Private
18	Private	Private	Arctic Edge 8/10 Block 6 Ends	Private
19	CRE 8/9	Private	Sobek 8/11 Block 7 Starts	US Commercial End of Season
20	Sobek 6/12	Sobek 7/12	Yukon Mtn 8/10	C
21	Private	CAFN 7/12	Gary Gray	P
22	Alaska D 8/13	Col Riv & Trail 7/12	CRE HJ 8/12	C
23	CRE HJ 6/13 Block 1 Ends	Private	Private	P
24	Private Block 2 Starts	Wild Riv Out 7/14	Private	C
25	Private	Riv&O 7/16 Block 4 Ends	Alaska D HJ 8/14	P
26	Private	Sobek 7/18 Block 5 Starts	Private	C
27	Private	Yukon Mtn 7/17	Private	P
28	Chilkat 6/20	Private	CRE 8/18	C
29	Tat Exp 8/20	Private	Private	P
30	JHRJ 6/20	Private	Private Block 7 Ends	C
31		CRE 7/21	Chilkat HJ 8/20 Block 8 Starts	P

CHILKAT 6/11
 SOBEK 7/1
 CRE 8/11
 SOBOK 8/11
 ALASKA D 8/11
 TAT EXP 8/11
 JHRJ 8/11
 Ecosummer 8/11
 NAHANNI 8/11
 KOOTENAY 8/11
 CAFN 8/11
 YUKON Mtn 8/11
 WILD RIV OUT 8/11
 RIV & O 8/11
 YUKON Mtn 8/11
 ARCTIC EDGE 8/11
 SOBOK 8/11

This schedule will be used in conjunction with scheduling Aisek River trips arriving at Dry Bay, Glacier National Park and Preserve for years 1998-2004. The arrival dates at Dry Bay are those for the base year. Annual changes may be permitted by the managing agencies in accordance with established procedures and are effective for one year only. Companies will automatically revert to the assigned dates for the base year the following year.

The Alsek/Tatshenshini double-up schedule for the Interim Scheduling Agreement period (1998 to 2004)

Year	Prime Season Double-up	September 6 Parity Date
1998	Mt. Travel/Sobek	James Henry River Journeys
1999	Colo. River & Trails	Alaska Discovery
2000	Chilkat Guides	Gary Gray
2001	Wilderness River Outfitters	None [see 9/00 revision, below]
2002	None	None
2003	None	None
2004	None	None

Note: This information was from Perry Robertson (Sobek) and Bart Henderson (Chilkat Guides) 1/98; revised D. Nemeth 1/01.

The Sept. 6 parity date was Gary Gray's, but was a "problem date" for him so instead of using this date, Gray doubles-up with someone on a mid-season date (except when it rotates to him [year 2000]) and the indicated operator may use this takeout date.

Kootenay River Runners has both Canadian double-ups on "odd" numbered years and splits the two double-ups with Canadian River Expeditions on "even" years. [see revision below]

9/01 Revision

The US double-up schedule ended in 2001 (when WRO had one double-up) as a result of Arctic Edge relinquishing their two entries.

As a result of this, Kootenay and CRE are encouraged to use the Arctic Edge dates (8/18 & 9/3) but can double up on US or Canadian Alsek through trips in accordance with the Interim Scheduling Agreement.